

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

No. CR 08-00919 WHA

v.

MIGUEL VALADEZ,

Defendant.

**ORDER RE DEFENDANT'S  
MOTION FOR REDUCTION  
OF SENTENCE UNDER  
AMENDMENT 782**


Defendant Miguel Valadez moves, *pro se*, for a reduction of his sentence under 18 U.S.C. 3582(c)(2) and Amendment 782 to the Sentencing Guidelines. The United States Probation Office has submitted a report in opposition, stating that defendant is not eligible for a lower sentence.

Amendment 782 to the United States Sentencing Guidelines, effective November 1, 2014, reduces the penalties for most drug offenses by reducing most offense levels. This amendment may be applied retroactively to reduce the sentences of previously sentenced inmates under 18 U.S.C. 3582(c)(2). Amendment 782 does not authorize, however, reductions in sentences when an offender's total offense level remains unchanged based on the revised guidelines.

In 2010, defendant was convicted of conspiracy to possess and distribute methamphetamine and was sentenced to 126 months. Because the revisions to the drug quantity table under Amendment 782 do not lower his base offense level, he is not eligible for a sentence reduction under Amendment 782. Defendant's motion is thus **DENIED**.

**IT IS SO ORDERED.**

Dated: June 15, 2015.

  
WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE